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SinSin Europe Solar Asset Limited Partnership and SinSin Solar Capital Limited Partnership  
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11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA

13 SINSIN EUROPE SOLAR ASSET LIMITED  
14 PARTNERSHIP and  
SINSIN SOLAR CAPITAL LIMITED  
15 PARTNERSHIP,

16 Petitioners,

17 v.

18 SPI ENERGY CO. LTD,

19 Respondent.

20 Case No. 2:22-cv-01991-MCE-JDP

21 **DECLARATION OF M.M.  
UTTERBACK IN SUPPORT OF  
MOTION SEEKING LEAVE TO FILE  
AMENDED PETITION AND MOTION  
FOR**

- 22 **(1) CONFIRMATION OF FOREIGN  
ARBITRAL AWARDS;**  
**(2) ENTRY OF JUDGMENT;**  
**(3) INJUNCTIVE RELIEF; AND**  
**(4) ATTORNEYS' FEES INCURRED IN  
CONFIRMING THE AWARDS**

23 I, Mary Margaret Utterback, hereby declare and state as follows:

24 1. I am a Partner in King & Wood Mallesons' New York office. I am counsel for  
Petitioners SinSin Europe Solar Asset Limited Partnership and SinSin Solar Capital Limited  
25 Partnership and am admitted in this Court *pro hac vice*.

26 2. The evidence set out in the foregoing declaration is based on my personal  
knowledge. I am fully familiar with the facts of this case and can attest to the authenticity of the  
27 Exhibits referenced herein.

1           3. I submit this declaration in support of Petitioners' Motion Seeking Leave to File an  
2 Amended Petition and Motion for (1) Confirmation of Foreign Arbitral Awards, (2) Entry of  
3 Judgment, (3) Injunctive Relief, and (4) Attorney's Fees Incurred in Confirming the Awards  
4 against SPI Energy Co. Ltd. ("Respondent").

5           4. Attached hereto as **Exhibit A** is a true and correct copy of an email between Todd  
6 Noonan (“**Respondent’s Counsel**”), Andrew Sklar, and myself (collectively “**Petitioners’**  
7 **Counsel**”) dated March 16, 2023.

8       5. Attached hereto as **Exhibit B** is a true and correct copy of an email thread spanning  
9 March 23, 2023 through April 5, 2023 between Respondent’s Counsel and Petitioners’ Counsel  
10 (and the Court in part).

11       6. Attached hereto as **Exhibit C** is a true and correct copy of the proposed Amended  
12 Petition and Motion for (1) Confirmation of Foreign Arbitral Awards, (2) Entry of Judgment, (3)  
13 Injunctive Relief, and (4) Attorney's Fees Incurred in Confirming the Awards against Respondent.

14       7. Attached hereto as **Exhibit D** is a true and correct copy of the declaration of Xinyu  
15 Li in support of the Amended Petition and Motion for (1) Confirmation of Foreign Arbitral Awards,  
16 (2) Entry of Judgment, (3) Injunctive Relief, and (4) Attorney's Fees Incurred in Confirming the  
17 Awards against Respondent.

19 I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge,  
20 information, and belief.

22 | Executed on: April 11, 2023

Respectfully submitted,

By: J.L. Utterback  
M.M. Utterback